

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

BUCK ANDREWS JOHNSON,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-07-211-M
)	
MICHAEL OFSACK, et al.,)	
)	
Defendants.)	

ORDER

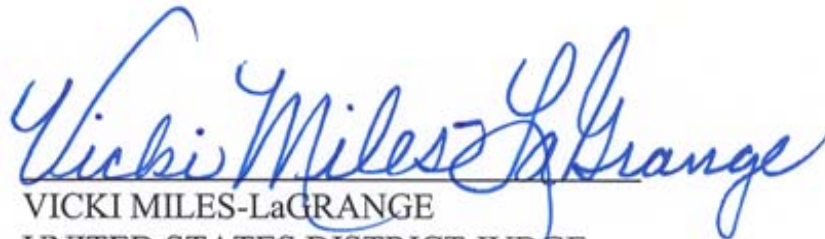
On December 4, 2007, United States Magistrate Judge Doyle Argo issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, alleging the violation of certain constitutional rights during plaintiff's incarceration at the Oklahoma County Detention Center ("OCDC"). The Magistrate Judge recommended the Court grant defendant Oklahoma County Sheriff's motion for summary judgment in his official capacity, and deny plaintiff's motion for partial summary judgment and motion for extension of time. The Magistrate Judge further recommended the Court grant defendant Oklahoma Department of Corrections ("DOC") Director's motion for summary judgment and deny both plaintiff's motion to dismiss and motion to strike. The parties were advised of their right to object to the Report and Recommendation by December 24, 2007. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on December 4, 2007;
- (2) DENIES plaintiff's motion for partial summary judgment and motion for extension of time [docket no. 33], and plaintiff's motion to dismiss [docket no. 8] and motion to strike [docket no. 24].

- (3) GRANTS defendant Oklahoma County Sheriff's motion for summary judgment in his official capacity [docket no. 25-26], and defendant DOC Director's motion for summary judgment [docket no. 21].

IT IS SO ORDERED this 4th day of February, 2008.



VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE